

DOS Review Completed.

ON-FILE NSC RELEASE INSTRUCTIONS APPLY

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TOP SECRET SENSITIVE

EYES ONLY

72 NOV 11 PM 8:18

WHITE HOUSE
SITUATION ROOM

TOP SECRET/SENSITIVE 111458Z NOV 72 PM 8 08
VIA CAS (BUNKER) CHANNELS
NOVEMBER 11, 1972
FOR: KISSINGER CITE SAIGON 0263 FLASH
FROM: HAIG SECTION 1 OF 2

HAGTO 008

AMBASSADOR BUNKER AND I HAVE JUST COMPLETED A THREE HOUR AND FIFTEEN MINUTE MEETING WITH PRESIDENT THIEU WHO AGAIN AMBUSHED US BY CONVENING THE ENTIRE NSC, INCLUDING GENERAL VIEN AUGMENTED BY HIS THREE AMBASSADORS. HE, IN EFFECT, ANSWERED EACH PARAGRAPH OF THE PRESIDENT'S LETTER POINT BY POINT AND IS PROVIDING US LATER TONIGHT WITH A MORE GENERALIZED WRITTEN RESPONSE, NOTING THAT HE RELIED ON ME TO FILL IN THE DETAILS FOR THE PRESIDENT. SUMMARY OF HIS POINT BY POINT RESPONSE IS AS FOLLOWS:

-- RE FIRST PARAGRAPH OF PRESIDENT'S LETTER, THIEU SAID PRESIDENT'S ALLEGATIONS ARE NOT JUST BECAUSE OF ALL OF HIS ATTACKS HAVE BEEN AGAINST THE COMMUNISTS AND NOT THE UNITED STATES. THE FACT THAT HE HAD TO ATTACK THE ISSUE OF THE TROOPS IN THE SOUTH AND THE ADMINISTRATIVE STRUCTURE WAS DICTATED BY HIS NEED TO PRESERVE THE MORALE OF HIS PEOPLE AND HIS ARMY. IF HANOI HAD NOT DISCLOSED THEIR VERSION OF THE CONTENTS OF THE AGREEMENT, HE WOULD HAVE SAID NOTHING. HE ASKED FOR PRESIDENT'S UNDERSTANDING

A

~~UNDERSTAND~~ING ON THIS ISSUE,
STATING THAT HE NEVER INTENDED TO ATTACK THE UNITED STATES.

-- RE PARAGRAPH 2, HE EXPRESSED DEEP GRATITUDE FOR EXPEDITED MASSIVE RESUPPLIES AND FOR OFFER TO MEET WITH THE PRESIDENT FOLLOWING AGREEMENT. IN LATTER CASE, HE STATED MEETING WOULD DEPEND ON THE SITUATION. HOWEVER, ~~COIFQDCTEALS~~CONCERNING, THE EMISSARIES, HE STATED THAT HE HAD TO DO THIS TO FULFILL HIS DUTIES TO COUNTRIES WHO HAD SUPPORTED HIM AND TO EXPLAIN HIS POSITION.

CONCERNING WHAT THIEU DESCRIBED AS THE POLITICAL PROVISIONS OF THE PRESIDENT'S LETTER, THIEU MADE THE FOLLOWING POINTS:

-- HE AGREED THAT DELETION OF THE COMMUNIST EXPRESSION "CHINH QUYEN" SHOULD BE MADE AND EMPHASIZED THAT THEY WISHED IT TO BE MADE CLEAR IN THE DRAFT AGREEMENT THAT THE BODY IS AN ADMINISTRATIVE ORGAN WHOSE PURPOSE IS TO OVERSEE THE ELECTIONS AS STIPULATED IN THE DRAFT AGREEMENT, THE CHARACTER OF THE ELECTIONS IS TO BE DECIDED THROUGH CONSULTATION BETWEEN TWO PARTIES.

-- WITH RESPECT TO THE THREE EQUAL SEGMENTS, THIEU STATED THAT HE ACCEPTS ONLY THE COUNCIL AND WISHES TO SEE THE DELETION OF THE THREE EQUAL COMPONENTS. HE, THEREFORE, IS IN AGREEMENT WITH THE ADDITION OF THE PHRASE "APPOINTED EQUALLY BY BOTH SIDES" BUT ONCE THIS ADDITION IS MADE THIEU STATES THERE PN NO MORE REASON TO RETAIN ANY REFERENCE TO THREE EQUAL COMPONENTS.

-- WITH RESPECT TO TROOPS IN THE SOUTH, THIEU STATED THAT THIS IS A LIFE OR DEATH ISSUE HE AND HIS PEOPLE CONSIDER THE NORTH VIETNAMESE TROOPS AS FOREIGNERS AND AGGRESSORS. WHEN HANOI DEMANDED THE WITHDRAWAL OF FOREIGN FORCES, THE NORTH VIETNAMESE FORCES SHOULD HAVE BEEN INCLUDED. THIEU WENT ON AT GREAT LENGTH, INSISTING THAT THERE ARE STILL 300,000 NORTH VIETNAMESE FORCES IN SOUTH VIETNAM WITH THEM THERE, THERE COULD BE NO EXPRESSION OF (THE) FREE WILL FROM (OF THE) PEOPLE WITH GUNS

BEHIND THEIR BACKS. IF HANOI STATES THEY NEED TROOPS IN THE SOUTH TO GUARANTEE THE ELECTIONS AND THE CEASEFIRE THEY ARE INCORRECT. THIS IS NOT THEIR JOB BUT THAT OF THE COMMISSIONS AND THE INTERNATIONAL CONFERENCE.

-- THIEU ALSO INSISTED THAT THERE ARE FAR MORE THAN 100,000 TO 150,000 NORTH VIETNAMESE IN THE SOUTH. RATHER THERE ARE OVER 300,000, MANY OF WHOM HAVE BEEN INTEGRATED INTO THE VC OR BROKEN DOWN INTO SMALL UNITS, AND ARE PRESENTLY LOCATED IN VILLAGES AND HAMLETS. HE LISTED ENEMY STRENGTH AS 17 DIVISIONS, INCLUDING 94 REGIMENTS AND 554 BATTALIONS, NOT INCLUDING NUMEROUS NORTH VIETNAMESE TROOPS IN VILLAGES AND HAMLETS. HE STATED THAT THE PROVISION FOR A ONE-TO-ONE DEMOBILIZATION WOULD NEVER BE ABIDED BY AND THAT NORTH VIETNAMESE TROOPS WOULD HIDE IN THE VILLAGES AND SERVE AS CADRE WITH THE VC. THEREFORE, HE WAS ASKING PRESIDENT NIXON TO DEMAND THE WITHDRAWAL OF NORTH VIETNAMESE TROOPS FROM SOUTH VIETNAM WITHIN THE SAME TIME FRAME AS THE U.S. WITHDRAWAL.

-- REFERENCE THE DMZ, THIEU STATED HE WELCOMES THE EFFORT OF THE U.S. TO GET THE INCLUSION OF A CLAUSE IN CHAPTER V.

-- REFERENCE THE QUESTION OF THE "THREE COUNTRIES," HE STATED HE WELCOMES THE ADDITION OF THE PROPOSED PHRASE SINCE IT WILL BE UNDERSTOOD BY ALL TO MEAN THE FOUR STATES OF INDOCHINA.

-- WITH RESPECT TO THE OTHER CHANGES REFERRED TO IN THE PRESIDENT'S LETTER AS TECHNICAL, THIEU MADE THE FOLLOWING PROPOSITION: HE BELIEVES THESE CHANGES ARE INTERRELATED TO THE MORE IMPORTANT SUBSTANTIVE CHANGES IN THE REMAINDER OF THE AGREEMENT AND THAT THE U#2 . AND GVN SHOULD WORK ON THEM BY MEANS OF A JOINT TASK FORCE BEFORE YOUR NEXT MEETING, WITH THE VIEW TOWARD UNIFYING THE U.S. AND GVN POSITIONS.

-- IN SUM, WITH RESPECT TO THE CHANGES IN THE AGREEMENT, THIEU STATED HE WELCOMED THE PRESIDENT'S EFFORTS TO PRESS FOR CHANGE.

-- CONCERNING THE PARAGRAPH ON PAGE 2 OF THE PRESIDENT'S LETTER WHICH STATED THIEU HAS TWO CHOICES, HE RESPONDED THAT HE WAS NOT PURSUING THE COURSE WHICH WOULD PLAY INTO THE HANDS OF THE ENEMY NOR WAS HE SEEKING A MILITARY VICTORY. HE INSISTS HE WISHES TO COOPERATE WITH THE U.S. AND PRESIDENT NIXON AND RECOGNIZES THAT THIS IS ESSENTIAL. ON THE OTHER HAND, THIEU EMPHASIZED THAT HE MUST DISAGREE WITH THE COMMUNISTS ON AN ISSUE THAT HE CONSIDERS TO BE VITAL FOR THE PEOPLE OF SOUTH VIETNAM.

THIEU CONCLUDED BY STATING THAT THERE ARE TWO MAIN POINTS. FIRST, THE ISSUE OF THE COUNCIL AND, SECOND, THE ISSUE OF NORTH VIETNAMESE TROOPS IN THE SOUTH. WITH RESPECT TO THE COUNCIL, HE AGREES THAT THE MEMBERSHIP CAN BE APPOINTED EQUALLY BY BOTH SIDES, THAT IT HAS NO GOVERNMENT FUNCTIONS AND IS ONLY AN ADMINISTRATIVE ORGAN WHICH IS CONCERNED PRIMARILY WITH THE ELECTIONS WHICH THEMSELVES ARE TO BE DETERMINED BY THE TWO PARTIES.

ON THE TROOPS IN THE SOUTH, THIEU ASKS THAT PRESIDENT NIXON JOIN HIM IN DEMANDING THE WITHDRAWAL OF THE TROOPS, EMPHASIZING THAT THIS IS A MINIMUM AND JUST DEMAND.

THIEU CONCLUDED HIS FORMAL STATEMENT BY CRITICIZING THE COMPOSITION

OF THE ICCS, STATING THAT THERE ARE TWO COUNTRIES WHICH ARE COMMUNIST AND TWO OTHER COUNTRIES WHICH ARE NOT COMPLETELY ON THE SIDE OF THE GVN. HE SINGLED OUT INDONESIA AS BEING INTERNALLY ANTI-COMMUNIST BUT EXTERNALLY INFLUENCED BY THE SOVIETS AND A COUNTRY WHICH HAS RELATIONS WITH HANOI. CONCERNING THE INTERNATIONAL CONFERENCE, THIEU STATED THAT ALL OF THE COUNTRIES IN INDOCHINA AND SOUTHEAST ASIA, AS WELL AS ASIA, SHOULD BE INCLUDED. SPECIFICALLY, HE MENTIONED LAOS AND CAMBODIA, OPPOSED FRANCE AND RECOMMENDED THE INCLUSION OF JAPAN.

CONCERNING THE DISPATCH OF A REPRESENTATIVE TO PARIS TO WORK WITH YOU DURING THE NEXT MEETING, THIEU STATED THAT WE SHOULD USE HIS PARIS DELEGATION AND AMBASSADOR LAM. HE STATE THAT AMBASSADOR PHUONG IN WASHINGTON CAN BE THE LINK BETWEEN THE UNITED STATES AND PARIS AND THAT NHA CAN SERVE AS A MESSENGER BETWEEN SAIGON AND PARIS.

FINALLY, THIEU STATED THAT WE SHOULD TAKE ADVANTAGE OF SOUTH VIETNAMESE INTERPRETERS IN ASSESSING THE TEXT OF THE AGREEMENTS. HE STATED THAT THE CURRENT TEXT USES A TERM TO DESCRIBE UNITED STATES FORCES WHICH IS VERY DEROGATORY IN VIETNAMESE.

AT THE CONCLUSION OF HIS PRESENTATION, I STATED TO THIEU THAT **IT IS** NOW APPARENT THAT THE UNITED STATES AND THE GVN HAVE

TOP SECRET SENSITIVE EYES ONLY

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TOP SECRET SENSITIVE

1975 DEC 11 PM 8 57

72 NOV 11 3:58

WHITE HOUSE
SITUATION ROOM

TOP SECRET SENSITIVE 111453Z NOV 72 VIA CAS CHANNELS (BUMER)
FINAL SECTION OF 2
FROM: GENERAL HAIG SAIGON 0263 FLASH
TO: DR. KISSINGER, EXCLUSIVELY EYES ONLY
HAIG TO 8
NOVEMBER 11, 1972

FUNDAMENTAL DIFFERENCES ON THE ISSUE OF THE NORTH VIETNAMESE TROOPS IN THE SOUTH. I REVIEWED IN GREAT DETAIL ALL OF THE CONSIDERATIONS WHICH YOU AND I HAVE DISCUSSED SO OFTEN AND CONCLUDED WITH A VERY STRONG STATEMENT TO THE EFFECT THAT WITH A FUNDAMENTAL DISAGREEMENT OF THIS KIND IT WAS NOW APPARENT THAT THE PRESIDENT WOULD HAVE TO CONSIDER ALTERNATE COURSES AS OUTLINED IN HIS LETTER. MORE IMPORTANTLY, I STATED THAT IT WAS VERY OBVIOUS THAT THIEU WOULD

SURFACE VERY QUICKLY AS THE OBSTACLE TO WHAT MOST ANALYSTS CONSIDER A REASONABLE AGREEMENT. THIS BEING THE CASE, THE ESSENTIALLY DEMOCRATIC SENATE CAN BE EXPECTED TO PROMPTLY CUT OFF THE PROVISION OF FURTHER AID AND ASSISTANCE TO THE GOVERNMENT OF SOUTH VIETNAM.

I POINTED OUT THAT HIS UNCOMPROMIZING AND UNCONDITIONAL DEMAND FOR THE IMMEDIATE WITHDRAWAL OF NORTH VIETNAMESE FORCES COULD NOT BUT HAVE THIS EFFECT, EVEN IF THE EXECUTIVE BRANCH WERE INCLINED TO AGREE WITH THIS PRINCIPLE. THIEU AND HIS ASSOCIATES WERE OBVIOUSLY SHAKEN BY MY RESPONSE, NOT SO MUCH BECAUSE THEY ACCEPT THE ASSURANCES THAT WE HAD PROVIDED IN THE AGREEMENT FOR THE MEANS TO REDUCE THE THREAT OF THE NORTH VIETNAMESE FORCES BUT RATHER BECAUSE THEY UNDERSTAND THAT THEIR POSITION COULD HAVE THE EFFECT OF DEPRIVING THEM OF FURTHER U.S. SUPPORT. THIEU THEN SOFTENED HIS STANCE CONSIDERABLY WITH RESPECT TO THE NORTH VIETNAMESE FORCES, STATING THAT HIS REAL PROBLEM WAS THAT HE COULD NOT ACCEPT THE AMBIGUOUS STATEMENT IN THE PRESIDENT'S LETTER WITH RESPECT TO THE ONE-FOR-ONE WITHDRAWAL. IN A SOMEWHAT EMOTIONAL WAY, HE ASKED THAT WE GIVE HIM SOME SPECIFIC CLARIFICATION

ON HE STATED HE MUST HAVE THE ANSWERS TO

THE FOLLOWING QUESTIONS:

1. IF THE NORTH VIETNAMESE FORCES WILL GO HOME, WHEN WILL THEY DO THIS?
2. HOW WILL THEY GO HOME? AND HOW WILL WE VERIFY THAT THEY HAVE DONE SO? AND HOW MANY DO THEY ADMIT ARE IN THE SOUTH?
3. WILL THEY TAKE THEIR WEAPONS WITH THEM OR BURY THEM TO USE LATER?

THIEU THEN SHIFTED TO TOUGHER ARGUMENTATION AND STRONGER DEMANDS, BEING JOINED BY THE VICE PRESIDENT, THE PRIME MINISTER AND MR. DUC. THERE IS NO QUESTION IN MY MIND HOWEVER THAT HE WAS ATTEMPTING TO ARRIVE AT A COMPROMISE WHICH WOULD PRECLUDE A TOTAL BREAK WITH US. WE THEN WENT ON AT GREAT LENGTH AND I ATTEMPTED TO ACHIEVE ADDITIONAL CONCESSIONS FROM HIM ON THE TROOP ISSUE. IN THE DISCUSSION THAT FOLLOWED, THIEU STATED THAT HE WOULD IMMEDIATELY RELEASE ALL PRISONERS AS SOON AS HIS HAD BEEN RELEASED, INCLUDING THE POLITICAL PRISONERS IF THEY WOULD GO NORTH. HE STATED THAT HE HAD NO PROBLEMS WITH AN AGREEMENT THAT KEPT THE SOUTH VIETNAMESE COMMUNIST FORCES IN SOUTH VIETNAM BUT COULD NEVER ACCEPT THE PRINCIPLE THAT THE NORTH VIETNAMESE HAD THE RIGHT TO PERMANENTLY STATION FORCES IN SOUTH VIETNAM. I TOLD HIM THAT THIS IS PRECISELY WHAT THE ADDITIONS DESCRIBED IN THE PRESIDENT'S LETTER WERE DESIGNED TO PRECLUDE. HE REPLIED THAT WE IN

N HAD SOMETHING TO WORK WITH PROVIDING HE COULD HAVE THE ANSWERS TO THE QUESTIONS CITED ABOVE AND PROVIDING THAT THERE WERE PROVISIONS IN THE AGREEMENT THAT WERE CLEAR WITH RESPECT TO THESE OBLIGATIONS. HE STATED THAT HE COULD NOT ACCEPT SECRET UNDERSTANDINGS ON THIS ISSUE. THE PRINCIPLE MUST BE CLEARLY PROVIDED FOR IN THE AGREEMENT

THE MEETING DRAGGED ON WITH CONTINUAL EXCHANGES BY MEMBERS OF THE NSC, SOME OF WHICH WERE EMOTIONAL AND IRRATIONAL AND WHICH ADDED NOTHING ONE WAY OR THE OTHER TO THE CENTRAL PROBLEM. I PATIENTLY TRIED TO ANSWER EACH QUESTION WITH VARYING DEGREES OF SUCCESS. AT THE CONCLUSION OF THE MEETING, I TOLD THIEU THAT WE SHOULD NOW JOINTLY TO PREPARE FOR AN OUTCOME WHICH COULD BRING ABOUT A CEASEFIRE IN THE NEAR FUTURE. HE AGREED, STATING THAT WE SHOULD WORK AT EVERY LEVEL, USING THE POINTS OF CONTACT HE HAD ESTABLISHED.

AT THE CONCLUSION OF THE MEETING, THIEU STATED THAT HE FELT THE DISCUSSIONS HAD BEEN VERY CONSTRUCTIVE AND HELPFUL TO BOTH SIDES. I TOLD HIM THAT I WAS GOING TO PHNOM PENH TOMORROW AND SEOUL ON MONDAY AND THAT WE WOULD BE IN CLOSE TOUCH AS SOON AS I HAD CONVEYED HIS RESPONSE TO PRESIDENT NIXON.

IN SUMMARY, I BELIEVE WE HAVE LARGELY OVERCOME ALL OBSTACLES WITH THE EXCEPTION OF THE TROOPS IN THE SOUTH. HOWEVER, ON THIS SUBJECT, THIEU HAS MADE EVERY EFFORT TO PREVENT A COMPLETE BREAK AND, IN MY VIEW, WOULD ACCEPT SOME REASONABLE TERMS WHICH WOULD PROVIDE FOR THEIR ULTIMATE WITHDRAWAL UNDER CONDITIONS WHICH OFFERED SOME MEANS FOR VERIFICATION. I RECOGNIZE THAT IT MAY BE IMPOSSIBLE TO GET SUCH ASSURANCES FROM HANOI AND THAT WE MAY, IN EFFECT, MEET AN UNACCEPTABLE IMPASSE. NEVERTHELESS, THIEU SHOWED SUFFICIENT FLEXIBILITY ON THIS ISSUE FOR ME TO NOT PUSH THE ISSUE ANY FARTHER AT THIS MEETING. IN MY VIEW, TO HAVE DONE SO WOULD HAVE HARDENED HIS POSITION AND CONFRONTED HIM WITH A TEST OF MANHOOD IN FRONT OF HIS ADVISERS THAT HE COULD NOT HAVE GONE BACK FROM.

THE ISSUE IS NOW CLEARLY DRAWN. IF WE ARE TO BRING THIEU ALONG, WE WILL HAVE TO ENLARGE SOMEWHAT ON THE PROPOSED MODIFICATION TO THE ONE-FOR-ONE PHRASE BY THE ADDITION OF SOME KIND OF A TIME FRAME AND THE PROVISION OF SOME KIND OF SUPERVISION ALTHOUGH THIEU'S DEMANDS WERE SOMEWHAT STIFFER THAN THIS. I BELIEVE WE COULD GET HIM ON BOARD WITH THIS KIND OF A CHANGE. THIEU KNOWS I HAVE NO AUTHORITY TO NEGOTIATE THIS AND, THEREFORE, I SEE NO REASON TO DELAY ANY FURTHER. THERE HAS BEEN THE MOST INTENSE PRESS INTEREST HERE AND SINCE ALL EXPECT ME TO LEAVE IMMEDIATELY, I WILL PROCEED TO PHNOM PENH DEPARTING SAIGON AT 0900 SUNDAY MORNING AND FROM THERE PROCEED TO SEOUL, ARRIVING LATE SUNDAY NIGHT, WITH THE VIEW TOWARD MEETING WITH PARK ON MONDAY. THIS WILL ENABLE ME TO ARRIVE IN WASHINGTON ON MONDAY AFTERNOON. PLEASE GIVE ME A DESIRED ARRIVAL TIME SO THAT I CAN ADJUST MY SCHEDULE ACCORDINGLY.

WARM REGARDS

TOP SECRET SENSITIVE